

**EASTERN DISTRICT OF TEXAS**



Petitioner challenges three prison disciplinary convictions. In his objections, he states prison officials failed to comply with prison regulations during the disciplinary proceedings. Even if petitioner is correct, this allegation would not entitle him to relief. Failure to follow prison regulations, standing alone, does not constitute a violation of a petitioner's due process rights. *Murphy v. Collins*, 26 F.3d 541, 543 (5<sup>th</sup> Cir. 1994). "A prison official's failure to follow the prison's own policies, procedures or regulations does not constitute a violation of due process, if constitutional minima are nevertheless met." *Myers v. Klevenhagen*, 97 F.3d 91, 94 (5<sup>th</sup> Cir.

1996). In *Wolff v. McDonnell*, 418 U.S. 539 (1974), the Supreme Court established the process due an inmate charged with violating prison rules. As petitioner has not established he was denied any of the procedural protections established in *Wolff*, he is not entitled to relief. The objections are therefore without merit.

#### ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED** as the opinion of the court. The respondent's motion for summary judgment is **GRANTED**. A final judgment shall be entered denying the petition in accordance with the recommendation of the magistrate judge.

SIGNED at Beaumont, Texas, this 15th day of May, 2013.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE